

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yih-Lin Chung Art Unit : 1614
Serial No. : 10/798,119 Examiner : Alicia R. Hughes
Filed : March 11, 2004 Conf. No. : 8809
Title : METHOD FOR INCREASING THERAPEUTIC GAIN IN RADIOTHERAPY
AND CHEMOTHERAPY

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Applicant responds to the restriction requirement dated December 19, 2006 and submit that the following elections are made without traverse.

Referring to page 1 of the restriction requirement, Applicant hereby elects the following four species: (1) radiotherapy, recited in claim 1; (2) proliferating malignant disease, recited in claim 1; (3) sodium phenylbutyrate as a histone hyperacetylating agent, recited in claim 11; and (4) mouth wash as a pharmaceutical carrier, recited in claim 15.

Referring to the underlined text at page 3 of the restriction requirement, Applicant elect the following subspecies: (1) ionizing radiation, recited in claim 4; and (2) head and neck cancer, recited in claim 5.

Applicant believes that the two underlined texts at page 4, lines 1-7 and 10-15 of the restriction requirement both refer to a request for electing a subspecies of a second agent in the composition recited in claim 1. In that case, Applicant elects anti-cancer agent, recited in claim 17.

Claims 1-21 are pending in this application. Among them claims 5, 11, and 14-17 read on the above elected species and subspecies.

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Page : 2 of 2

Attorney's Docket No.: 13206-004002 / 0668-
A20348US

The fee in the amount of \$60 for the Petition for Extension of Time is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization. Please apply all charges or credits to Deposit Account No. 06-1050, referencing Attorney Docket No. 13206-004002.

Respectfully submitted,

Date: 2-20-07

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